

COMMISSIONERS' MINUTES – DAVIS COUNTY

COMMISSION MEETING MINUTES September 20, 2022

The Board of Davis County Commissioners met for their regularly scheduled meeting at 10:00 a.m. on September 20, 2022, in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah. Required legal notice of this meeting was given.

Present on the dais were: Commissioner Randy B. Elliott, Chair; Commissioner Lorene Miner Kamalu, Vice-Chair; Commissioner Bob J Stevenson; Curtis Koch, Davis County Clerk/Auditor; and Neal Geddes, Chief Civil Deputy County Attorney.

All documents from this meeting are on file in the Davis County Clerk/Auditor's Office. The agenda for this meeting is incorporated into the minutes as item headers.

OPENING

The meeting convened at 10:00 a.m., and Clerk/Auditor Curtis Koch led the Pledge of Allegiance.

Recognitions,
Presentations &
Informational
Items

A. Title I distribution of US Forest Service Secure Rural School (SRS) funds — Presented by Clerk/Auditor Curtis Koch

The US Forest Service provides Secure Rural School (SRS) funds. The County has to make a title declaration every 10 years. Historically, the County has been a Title 1 [Roads & Schools] recipient. Davis County will renew and keep that same classification.

B. Davis County Attorney Troy Rawlings presents, Commendation of Karen Gomez and Jeff Thomson for Superior Service in the Davis County Attorney's Office — Presented by Clerk/Auditor Curtis Koch

The item was tabled.

PUBLIC COMMENTS

Lorna Rosenstein, Waterwatch of Utah, Davis County, read a written statement regarding the accidental fluoridation overfeed that happened in Sunset, Utah, on Sept. 13 and 14, 2022. [See Attachment A1.]

She also handed Commissioners, but did not read, a copy of printed information that she had presented to Commissioners during a previous meeting. [See Davis County Commission Regular Commission Meeting Minutes, February 19, 2019, Attachments F1 and F2].

BUSINESS/ ACTION

Attorney's
Office

#2022-297-A

1. Acceptance of the Memorandum of Understanding with the Utah Attorney General's Office for the 2022-2023 ICAC Grant Award from the previous Grant Application submitted and approved on 6/21/2022 — Presented by Chief Civil Deputy County Attorney Neal Geddes

Funding from this grant is to assist the Internet Crimes Against Children's Task Force, investigators led by Agent Braggs, in the Davis County Attorney's Office.

The agreement period is 7/1/2022 to 6/30/2023. The receivable amount is \$11,000.

Com. Stevenson moved to approve Item 1. Com. Kamalu seconded. All present voted aye.

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Commission

2. Cancellation of the Regular Commission Meeting on October 18, 2022 — Presented by Commissioner Lorene Kamalu

Commissioner Kamalu made a motion to approve the cancellation of the Regular Commission Meeting scheduled for October 18, 2022.

#2020-283-D

3. Amendment with the State of Utah Department of Health & Human Service, Division of Substance Abuse and Mental Health to provide additional funding to Davis Behavioral Health for State Opioid Prevention — Presented by Commissioner Lorene Kamalu

Davis Behavioral Health is Davis County’s partner for behavioral and mental health in the County. The agreement period is 8/10/2022 to 6/30/2023. The pass-through amount is \$13,109,905.

Com. Kamalu moved to approve Items 2-3. Com. Stevenson seconded. All present voted aye.

CED

#2022-541

4. Contract with Meta Sports for Winter indoor soccer training — Presented by Community and Economic Development Director Kent Andersen

The agreement period is 11/7/2022 to 3/8/2023. The receivable amount is \$14,609.52.

#2022-366-A

5. Charter Cancellation Notice with Salt Lake Express — Presented by Community and Economic Development Director Kent Andersen

The agreement period is 9/9/2022 to 9/30/2022.

#2022-542

6. Summary List of five low-dollar rental agreements — Presented by Community and Economic Development Director Kent Andersen

The agreement period is 7/11/2022 to 8/28/2022. The receivable amount is \$2,196.45.

#2022-543

7. Contract with Athletico Soccer Club for indoor soccer training — Presented by Community and Economic Development Director Kent Andersen

The agreement period is 11/14/2022 to 3/7/2023. The receivable amount is \$2,719.20.

#2022-544

8. Contract with Layton Strikers Soccer Club for indoor winter soccer training— Presented by Community and Economic Development Director Kent Andersen

The agreement period is 11/7/2022 to 3/8/2023. The receivable amount is \$9,344.16.

#2022-545

9. Software as a Service Agreement with Benevate, Inc., d/b/a (doing business as) Neighborly Software to implement a new grants and loan management platform — Presented by Community and Economic Development Director Kent Andersen

This new software has dual purposes: 1) replacing the Zoom Grants for the County’s Community Development Block Grant (CDBG) grant applications; 2) a complementary activity for administration of the Davis Loan Fund. This will be a loan fund tracking management software, which CED hasn’t had previously. In response to a question about how CED learned about Neighborly Software, Commissioners were informed that the federal program through the administration of the Community Development Block Grant has a system called IDIS, and this will be the software that will integrate specifically with that system. The

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agreement period is 9/20/2022 to 9/19/2023. The payable amount is \$19,700.

#2022-546

10. Personnel Action to convert a Legacy Events Center part-time position to a full-time Sponsorship and Event Sales position — Presented by Community and Economic Development Director Kent Andersen

This is a follow-up from a Davis County Budget Committee meeting held on Sept. 12, 2022, during which the Committee voted unanimously in the affirmative for a motion of support for this Personnel Action to move forward to the Commission. The action is effective beginning 9/30/2022.

Com. Stevenson moved to approve Items 4-10. Com. Kamalu seconded. All present voted aye.

Facilities

#2022-547

11. Ratification of the Standard Service Provider Contract with Lawson Landscaping Design and Construction, L.L.C. for topsoil and sod installation on the outdoor plaza of the Davis County Memorial Courthouse — Presented by Facilities Management Director Lane Rose

A request was made to ratify the agreement with Lawson Landscaping Design and Construction L.L.C. It was noted that Commissioner Elliott had already signed the agreement, and work had already started, to get the sod installation done early and take advantage of the weather.

The agreement period is 9/13/2022 to 12/31/2022. The payable amount is \$17,656.40.

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

Health

#2020-74-A

12. Amendment with Summit Food Service LLC increasing the price per individual senior meal by 5% — Presented by Health Director Brian Hatch

The 5% increase is due to cost increases, and amounts to 16 cents per meal. The agreement period begins 7/1/2022 and continues to the end of the contract. [The payable amount is as incurred.]

Com. Kamalu moved to approve. Com. Stevenson seconded. All present voted aye.

*Human
Resources*

#2022-548

13. Revision to Davis County Personnel Policies and Procedures #300 Preventing Harassment & Discrimination — Presented by Human Resources Deputy Director John Robinson

The revision is a minor change to move from requiring a harassment and discrimination prevention training refresher every three years to two years, which is best practice and is what the County has been doing.

#2022-549

14. Revision to Davis County Merit System Ordinance Chapter 21 Grievances — Presented by Human Resources Deputy Director John Robinson

The revision adds a clarifying sentence to eliminate ambiguity over a grievance timeline.

#2021-278-A

15. Grant Award with the Utah Department of Public Safety Division of Emergency Management for the increase to Federal Cost Share from 75% up to 90% impacting September 2020 Windstorm (Disaster Grant DR4578) — Presented by Chris Bone, Director of Human Resources, Risk Management, Pre-Trial and Legal Defenders

A request was made, on behalf of Risk Management, for approval of additional grant funding. Previously, the County received an amount of funding from the Utah Department of Public Safety Division of Emergency Management as a pass-through for FEMA (Federal Emergency Management Agency); it was

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decided, outside of the County, to increase the cost share on this grant from 75% up to 90%. The agreement period begins 9/20/2022. The receivable amount of \$34,612.80 represents the change from 75% cost sharing to 90% cost sharing.

Com. Kamalu moved to approve Items 13-15. Com. Stevenson seconded. All present voted aye.

Information
Systems

#2020-550

16. Consent with Motorola Solutions to release limited information to the State of Utah as users of a Flex product per House Bill 403 — *Presented by Information Systems Director Mark Langston*

The agreement allows the County to give consent to Motorola, the County’s Spillman provider/jail management software provider, to release information to the State of Utah on a limited basis per House Bill 403. A correction was made regarding the agreement ending date provided on the item summary sheet and the meeting agenda. The agreement period begins 9/20/2022 and there is no ending date; it is continuous as long as the Spillman application is used.

Com. Kamalu moved to approve of Item 16, as presented with the correction. Com.Stevenson seconded. All present voted aye.

Sheriff’s Office

#2020-551

17. Release of Liability, Waiver of Rights, and Participation Agreement for the Secure Continuous Remote Alcohol Monitoring (SCRAM) program — *Presented by Sheriff’s Office Chief Deputy Susan Poulsen*

- Participant 1

The agreement period begins upon final signature and runs until the participant is no longer under court order to participate in the program. The receivable amount varies based on tests used and monitoring fees.

Com. Kamalu moved to approve Item 17. Com. Stevenson seconded. All present voted aye.

CONSENT
ITEMS

Commission
Meeting
Minute

Meeting Minutes

Regular Commission Meeting Minutes for August 30, 2022 , were presented for approval.

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

Commissioner Stevenson moved to recess to the Board of Equalization. Commissioner Kamalu seconded the motion. All voted aye.

BOARD OF
EQUALIZATION

Property Tax
Register

Property Tax Register matters for September 20, 2022, were presented by Davis County Clerk/Auditor Curtis Koch as follows:

Auditor’s Adjustments

Appeals

- Thirty-Six various appeals that are recommended for approval totaling \$3,684,518

Abatements

- A report with various recommended approvals for Late Abatements totaling \$15,014.78

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- An abatement with recommended denial of various applications
- Corrections**
- Six Veteran Exemption Tax Abatements for the year 2021
 - A correction from the September 6 Register, when an item was abated at \$2,601.50; it should have been \$2,497.59
- Assessor’s Adjustments**
- Personal Property Penalty Waivers**
- One item that did not qualify for that waiver

Com. Stevenson moved to approve. Com. Kamalu seconded. All present voted aye.

Commissioner Stevenson moved to reconvene the Commission Meeting. Commissioner Kamalu seconded the motion. All voted aye.

**COMMISSION
COMMENTS**

There were no Commissioner comments.

**MEETING
ADJOURNED**

Commission meeting was adjourned at 10:18 a.m.

All publicly distributed materials associated with this meeting are noted as follows:

- A. Waterwatch of Utah, “Accidental Fluoridation Overfeed Sunset, Davis County Utah Sept 13th and 14th 2022”

Minutes prepared by:
Becky R. Wright
Deputy Clerk/Auditor

Minutes approved on: 10/11/2022

/s/ Curtis Koch
Curtis Koch
Clerk/Auditor

/s/ Randy B. Elliott
Randy B. Elliott
Commission Chair

Waterwatch of Utah

Keeping the Information Flowing

Accidental Fluoridation Overfeed Sunset, Davis County Utah Sept 13th and 14th 2022

Feb 19th, 2019, Waterwatch of Utah appeared before this Commission and reported on an accidental overfeed of fluorosilicic acid in Sandy City, Utah. To date, the litigation continues, fines have been levied and expensive repairs on the water infrastructure have been required. The last paragraph of that report reads, "For all our sakes, please impose an immediate cease and desist, a moratorium against injecting fluoridation chemicals at the well heads until we are absolutely certain the infrastructure is safe, and all the laws, rules and regulations attached to public water fluoridation chemicals are being followed. This action does not involve any argument with the public policy. This moratorium is to ensure that not only is public health, safety and welfare safeguarded and the mandate as currently implemented is in complete compliance with all relevant laws but more importantly, that what happened in Sandy City doesn't happen anywhere in Davis County."

September 13th, 2022, an accidental overfeed of fluorosilicic acid occurred in a portion of Sunset City. Sunset City gets its fluoridated water from Weber Basin, one of the most capable and well-respected water wholesalers in the State of Utah. Fluoridating the entire public water supply is very complicated and very expensive. They know how to do it properly nevertheless; they had a problem. As soon as the overfeed was discovered, Weber Basin did everything, right. They notified all the relevant County and State agencies immediately including the cities in Davis County. That said, if it could happen to them, it could happen to any water agency that 'fluoridates'. To date, accidents with 'fluoride' have already happened to Salt Lake County, Sandy City, and twice in North Salt Lake.

Commissioner Stevenson, you have recommended more than once, that the issue could be placed back on the ballot, should a referendum and the requisite number of names be gathered. According to the informal opinion given to Senator Paula Julander, founding member of the fluoride advocacy group, Utahns for Better Dental Health and Senate Democratic Whip from the Office of Legislative Research and General Council dated July 11, 2000, "Question 1: Is there any reason which would make it illegal for a county of the first or second class, should its county commission decide to do so, to put the issue of water fluoridation on the ballot for the next general election November 2000? No." So it appears this body could put it back on the ballot for this November election. However, we've had two votes to fluoridate in Davis County. Both times, by a very slim margin, the voter indicated their preference to fluoridate. Although the vote to fluoridate was enacted prior to water agencies performing a thorough and complete evaluation of fluoride as a water additive, enacting that vote has required water agencies to be non-compliant with several existing laws, rules and regulations. The politics of water fluoridation has resulted in water agencies deference the Health Department, which is a fierce defender of the public policy. Water agencies were forced to select the product, assume all the costs, all the risks and all the liabilities for an additive they knew nearly nothing about. And now that they know more, their hands have been tied.

Commissioners, demand the Health Department issue an immediate cease and desist fluoridating until we have all the facts. Lets put aside the politics and work together to safeguard our water, our most precious and irreplaceable natural resource.

Respectfully, Lorna Rosenstein